IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

FRIDAY, THE 1ST SEPTEMBER 2006 / 10TH BHADRA 1928

Bail Appl..No. 5432 of 2006

ST.903/2003 of J.M.F.C.-II,PATHANAMTHITTA,
.....

PETITIONER/ACCUSED

SANTHOSH, AGED 37 YEARS,
S/O. SUKUMARA PILLAI, UDAYAMPARAMBIL,
KADASSANADU, PALAMEL VILLAGE,
ALAPPUZHA DISTRICT, NOW RESIDING AT KSHB COLONY,
PLOT NO.109, DOOR NO.8/854, INDIRA NAGAR,
CHENGALA, KASARAGODE.

BY ADV. SRI.S.SHANAVAS KHAN

RESPONDENTS: COMPLAINANT

THE STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 01/09/2006, ALONG WITH B.A.NO.5442/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A.Nos.5432/2006 & 5442/2006

DATED THIS THE 1ST DAY OF SEPTEMBER, 2006

O R D E R

The petitioner in both the applications are one and the same person. He is accused in S.T.No.1263/2004, on the file of the Judicial Magistrate of First Class-II, Pathanamthitta, and warrants are pending against him, as he is accused before the Court, for the offence punishable under Section 138 of the Negotiable Instruments Act, in short 'the Act'.

2. The petitioner filed B.A.No.5432/2006 under section 438 Cr.P.C., as he is also accused in S.T.No.903/2003, which is pending as L.P.No.129/2004, on the file of the same Court.

3. The learned counsel for the petitioner submits that he did not receive any summons, in the above cases.

4. Considering the materials that are placed before me, I direct the petitioner to surrender before the Judicial Magistrate of First Class-II, Pathanamthitta, on

12.9.2006 at 11.00 a.m and move applications for bail. The learned Magistrate shall consider the same, and pass appropriate orders on the same day itself, on merit.

Both the applications are disposed of as above.

J.M.JAMES
JUDGE

mrcs